

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 WORD TO INFO INC,
4 Plaintiff,
5 v.
6 FACEBOOK INC.,
7 Defendant.
8

Case No. 15-cv-03485-WHO

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO
DISMISS**

Re: Dkt. No. 17

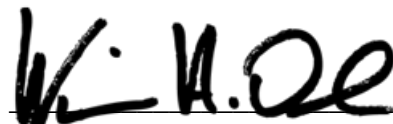
9 On February 5, 2015, while this case was still pending in the Northern District of Texas,
10 defendant Facebook Inc. filed a motion to dismiss plaintiff's complaint. Dkt. No. 17. Facebook
11 raised two arguments in the motion: (1) lack of personal jurisdiction; and (2) insufficient
12 allegations in support of plaintiff's willful infringement claims. *Id.* Although Facebook has not
13 re-noticed the motion for hearing since this case was transferred to this district more than three
14 months ago, it recently commented in its joint case management statement that the motion remains
15 pending insofar as it concerns the willfulness issue. Dkt. No. 69 at 4.

16 At the case management conference today, the parties did not dispute that Facebook's
17 motion to dismiss plaintiff's willfulness claims is based on the same analysis and concerns
18 materially identical allegations as Google's motion to dismiss plaintiff's willfulness claims, which
19 I recently granted. *See Word to Info, Inc v. Google Inc.*, No. 15-cv-03486-WHO, 2015 WL
20 6126472, at *2-3 (N.D. Cal. Oct. 19, 2015). Accordingly, pursuant to the reasoning and
21 authorities cited in that Order, Facebook's motion to dismiss plaintiff's willfulness claims is
22 GRANTED. Facebook's motion to dismiss for lack of jurisdiction is DENIED AS MOOT in light
23 of the transfer to this district.

24 Plaintiff shall file its amended complaint within 10 days of the date of this Order.

25 **IT IS SO ORDERED.**

26 Dated: November 10, 2015

27 
28 WILLIAM H. ORRICK
United States District Judge